

1 REMARKS

2 Status of the Claims

3 Claims 1-6, 8-25, and 27-34 remain pending in the application, Claims 7, 26, 35, 36, and 37
4 having been previously canceled, and Claim 38 being currently canceled.

5 Allowable Subject Matter

6 The Examiner has indicated that Claims 1-6, 8-25, and 27-32 are allowed. The Examiner has
7 objected to Claims 36-38 as being dependent upon a rejected base claim, but has noted that these
8 claims would be allowable if rewritten in independent form to include all of the limitations of the
9 base claim and any intervening claims.

10 Accordingly, applicants have canceled Claim 38 and have amended independent Claim 33
11 to include the novel recitation of Claim 38 that recites in general "enabling the electronic invitation
12 to be accepted by the recipient through use of a verbal response spoken into the microphone by the
13 recipient."

14 Although the Examiner has indicated that this office action is based on the amendments filed
15 on July 6, 2004, i.e., the amendment filed after last non-final action dated April 21, 2004, applicants
16 must amend the claims based upon their state following the latest amendment that was entered.
17 Accordingly, Claims 36 and 37 were already canceled and their recitation was included in
18 independent Claim 33 as amended in the response to the previous Office Action. Thus, independent
19 Claim 33 as currently amended includes the recitation of Claims 36-38.

20 Claims Rejected under 35 U.S.C. § 102(e)

21 Claims 33-34 are rejected as anticipated by James et al., U.S. Patent No. 6,179,713,
22 hereinafter referred to as "James." The Examiner asserts that James teaches all of the elements of
23 Claim 33.

24 However, as indicated above, applicants have amended independent Claim 33 to include the
25 recitation of Claim 38. And Claim 33 was previously amended to include the claim limitations of
26 Claims 36 and 37. Since the Examiner indicated that Claims 36-38 recite patentable subject matter,
27 thus, independent Claim 33 now patentably distinguishes over the prior art, and applicants request
28 that the Examiner withdraw the rejection of Claim 33. Claim 34 depends from independent
29 Claim 33. Because dependent claims inherently include all of the steps or elements of the
30 independent claim from which the dependent claims ultimately depend, dependent Claim 34 is

1 patentable for at least the same reasons as discussed above, with regard to independent Claim 33.
2 Accordingly, the rejection of dependent Claim 34 under 35 U.S.C. § 102(e) over James should also
3 be withdrawn.

4 In view of the Remarks set forth above, it will be apparent that the claims remaining in this
5 application define a novel and non-obvious invention, and that the application is in condition for
6 allowance and should be passed to issue without further delay. Should any further questions remain,
7 the Examiner is invited to telephone applicants' attorney at the number listed below.

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9 Respectfully submitted,

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15 SKM/RMA:klp

16 MAILING CERTIFICATE

17 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
18 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
Alexandria, VA 22313-1450, on July 26, 2005.

19 Date: July 26, 2005

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